

Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Alford offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT upon recommendation of the Board of Equalization, the assessed valuation of Lot 2, Block 7, Outlot 3, Division "O", Flat 22, of the City of Austin, assessed to Ellen Coleman for the years 1930, 1931, 1932, 1933, 1934, 1935, and 1936, be and the same is hereby corrected from \$865.00 to \$710.00 for the years 1930, 1931, and 1932, and corrected from \$785.00 to \$655 for the years 1933, 1934, 1935, and 1936.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Gillis offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$1500.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying the balance due on sewing machines now being used in the Travis County Sewing Room, WPA project.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

There being no further business, upon motion duly made and seconded, the meeting was recessed at 12:40 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hallie McMillan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 8, 1937

The meeting was called to order at 10:45 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C.M. Bartholomew, 1.

The reading of the Minutes was dispensed with.

Councilman Gillis offered the following resolution:

WHEREAS, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs, sidewalks and ramps of other materials; and

WHEREAS, Alden Davis is the owner of Lots 9 and 10, Block 30, Travis Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the west side of Alta Vista Avenue, and being locally known as 1306 Alta Vista Avenue, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk from the curb line to the property line on the west side of Alta Vista Avenue, at the above described location; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Alden Davis, owner of Lots 9 and 10, Block 30, of Travis Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the west side of Alta Vista Avenue, being known as 1306 Alta Vista Avenue, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location and said walk is to be constructed under the supervision and direction of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City streets shall be done by a bonded sidewalk contractor and in accordance with the instructions and directions of the City Engineer of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, W. H. Belschner is the owner of Lot 2, Block 30 of Swisher Addition, a subdivision within the City of Austin, Travis County, Texas, which property abuts the west side of South Congress Avenue at a location south of West Annie Street and being locally known as 1802 South Congress Avenue, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the west sidewalk area of South Congress Avenue at the above described location, as shown upon the plan hereto attached marked 2-0-690, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT W. H. Belschner, owner of Lot 2, Block 30, of Swisher Addition, a subdivision within the City of Austin, Travis County, Texas, which property abuts the west side of South Congress Avenue at a location south of West Annie Street, is hereby permitted to construct a commercial driveway across the west sidewalk area of South Congress Avenue at the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-0-690, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in EAST 24TH STREET from East Avenue westerly 106 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said East 24th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in ELKHART STREET from East 2nd Street northerly 197 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Elkhart Street.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$300.00 be and the same is hereby appropriated out of the General Fund not otherwise appropriated for the purpose of paying H. P. N. Gammel & Son of Austin, Texas, for the complete set of Texas "Lifetime" Digest, with pocket parts to date; and that warrant issue therefor in accordance with the terms of the purchase contract between the City of Austin and H. P. N. Gammel & Son.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Council of Presidents of the Parent-Teachers Association of this City be granted the exclusive privilege for all concessions at the city parks, except Barton Springs Park and Deep Eddy, for a period of two years from and after this date.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, Mrs. Rosa Rogers has purchased from J. V. Macry one-half of Lot No. 516, Section "G", Oakwood Cemetery Annex, and said transfer is proper; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT said change in ownership is hereby approved and that the records of the City be changed accordingly.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The following resolution was introduced:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Councilman Oswald Wolf and Councilman Simon Gillis be and they are hereby appointed as a committee to canvass the returns of the election held in the City of Austin, Texas, on April 5, 1937, and they are hereby instructed to report to the City Council the result of such canvass.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: Wyatt M. Joslin, 1001 West 3rd Street; and Ralph Hugh Smith, 121 Congress Avenue. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Don Lee, on behalf of the Technical Club, proffered the services of said Club in such matters requiring technical knowledge as the City might desire to refer to them for study and report. The offer was accepted with thanks, especially in matters pertaining to traffic and the rebuilding of the Austin dam.

Mayor Miller announced the public hearing open on the proposal of the City Council to amend the "Use" designation of Lots 8, 9, and 10, Outlet 51, Division "D"; Lot A, Outlet 50, Division "D"; and Lots A, B, and C, Outlet 62, Division "D"; said property being located on West 26th Street between Rio Grande and Guadalupe Streets, so as to change the zoning of same from "B" Residence District to "C" Commercial District.

Jay Brown, Attorney, submitted a petition by property owners in the vicinity of the property in question, protesting the proposed change in zoning of said property.

Councilman Gillis moved that the City Attorney be instructed to prepare an ordinance changing the zoning of Lots 8 and 9, Outlet 51, Division "D"; Lot A, Outlet 50, Division "D"; and Lots A, B, and C, Outlet 62, Division "D", from "B" Residence District to "C" Commercial District. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford moved that, at the request of the Kiwanis Club, the Mayor be authorized to issue a proclamation designating the week of May 2nd through the 9th as

Vocational Guidance Week. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Mayor Miller submitted the following resolution:

The resignation of Dr. Eugene O. Chimene as Director of Public Health in the City of Austin to accept a position with the Public Health Department of New York City occasions a review of his work in Austin beginning with his tenure in 1928.

Dr. Chimene organized the Health Department of Austin in accordance with recognized modern standards approved by the American Public Health Association. Among the achievements of the Austin Health Department while under his direction was the reduction of infant mortality from 149 in 1928 to 69 in 1936; reduction of the incidence of diphtheria by the use of toxoid from 150 cases in 1929 to 28 cases in 1936; establishment of Child Health Centers for white, colored, and Mexican babies; establishment of a diagnostic tuberculosis clinic and a dental clinic for school children; organization of rodent control service for elimination of typhus fever; establishment of medical inspection of school children as an integral part of school system, both in public and parochial schools; and originated and assisted in the construction and operation of the Austin Sunshine Camp for mal-nourished children; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council extend to Dr. Eugene O. Chimene its best wishes for his continued success with his new work, and that the City Council by this resolution express its gratitude for the faithful and loyal service of Dr. Chimene as Director of Public Health for the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, the deeds from the Austin Golf and Amusement Association to the City of Austin conveying all of the Association's right, title and interest in the Lions Club Golf Course have been filed for record; and

WHEREAS, the Austin Golf and Amusement Association lease from the University of Texas has been transferred to the City of Austin and the University has concurred in said transfer; and

WHEREAS, J. W. Calhoun, Comptroller, acting by and with the authority of the Board of Regents of the University of Texas, has executed a fifty year lease to the City of Austin of the lands of the University of Texas upon which the Lions Club Municipal Golf Course is situated, and said lease agreement has been filed for record; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and instructed to operate said golf course from and after April 1, 1937, as a municipal golf course of the City of Austin, same to be a part of the Parks and Playgrounds system of the City, under the general supervision of the Director of Recreation, and further, that the sum of \$9,223.75 be and the same is hereby appropriated out of the General Fund not otherwise appropriated for the purpose of defraying the operating costs of said golf course for that part of the fiscal year 1937 beginning April 1st.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, the Works Progress Administration has approved a project for the installation of a sprinkling system on the greens and fairways of the Municipal Golf Course and other improvements to the grounds and course generally, said project to involve the expenditure of \$9,588.70 of Federal funds; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the appropriations authorized in the budget of 1937 be reaffirmed and that the amount of \$20,939.00 from unexpended Parks and Playgrounds Bonds be used for the following purposes:

City's cost of Works Progress Administration Project -	\$11,539.00
Retirement of Lions Club Bonds -	<u>9,400.00</u>
Total Bond Fund Expenditures -	\$20,939.00

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE REQUIRING ALL PERSONS, FIRMS OR CORPORATIONS WHO MAY INSTALL OR EQUIP ANY RESIDENCE, BUSINESS HOUSE OR APARTMENT HOUSE, OR OTHER BUILDING WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN WITH ANY INSTALLATION OR EQUIPMENT DESIGNED TO USE AS FUEL ANY FORM OF MANUFACTURED OR LIQUEFIED PETROLEUM GASES TO USE IN SUCH INSTALLATION ONLY STANDARD GRADES OF PIPES, APPLIANCES AND EQUIPMENT, AND REQUIRING ANY SYSTEM, APPLIANCES OR STORAGE TANKS USED FOR ANY FORM OF MANUFACTURED OR LIQUEFIED PETROLEUM GASES TO BEAR THE LABEL OF APPROVAL OF A NATIONAL BOARD OF FIRE UNDERWRITERS; DEFINING THE TERM "STANDARD GRADE," REQUIRING THAT ALL SUCH EQUIPMENT BE INSTALLED OR REPAIRED IN A WORKMANLIKE MANNER TO COMPLY WITH ALL FIRE LAWS OR REGULATIONS; PROHIBITING THE USE OF ANY EQUIPMENT WHICH USES LIQUEFIED PETROLEUM GAS WITHIN FIRE ZONE 1 AND FIRE ZONE 2 OF THE CITY OF AUSTIN; REQUIRING THE INSPECTION AND APPROVAL OF ANY EQUIPMENT BEFORE PLACED IN OPERATION BY THE CITY PLUMBING INSPECTOR AND PROVIDING AN INSPECTION FEE OF ONE DOLLAR (\$1.00) FOR EACH PIECE OF EQUIPMENT SO INSPECTED; REQUIRING ALL TANK TRUCKS AND TANK TRAILERS USED IN THE TRANSPORTATION OF LIQUEFIED PETROLEUM GASES TO BE CONSTRUCTED AND OPERATED SO AS TO COMPLY WITH THE REGULATIONS FOR DESIGN CONSTRUCTION AND OPERATION OF SAME AS APPROVED BY THE NATIONAL BOARD OF FIRE UNDERWRITERS AND NATIONAL FIRE PROTECTION ASSOCIATION, AND REQUIRING THAT SUCH TANK TRUCKS AND TANK TRAILERS SHALL BE KEPT IN GOOD CONDITION AT ALL TIMES, AND PROVIDING FOR THE IMMEDIATE REPAIR OF ANY DEFECT IN SUCH AUTOMOBILE EQUIPMENT AND SUBJECTING SUCH TANK TRUCKS AND TANK TRAILERS TO PROPER INSPECTION AT ALL TIMES; REQUIRING THE USE OF MAL-ODORANT IN LIQUEFIED PETROLEUM GAS SOLD WITHIN THE CITY OF AUSTIN, PROVIDING A PENALTY FOR THE VIOLATION OF ANY PROVISION OF THIS ORDINANCE, AND PROVIDING IF ANY PART OF THIS ORDINANCE SHALL BE CONSTRUED TO BE INVALID, SUCH INVALIDITY SHALL NOT AFFECT THE REMAINDER OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Wolf moved that the rules be suspended and the ordinance be passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the second time and Councilman Wolf moved a further suspension of the rules and the placing of the ordinance on its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the third time and Councilman Wolf moved that the same be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$500.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of supplementing the appropriation made in the 1937 budget for purchase of 1/2 cubic yard full revolving shovel, per low bid of Lorain Company.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Mayor Miller submitted the following resolution:

WHEREAS, by virtue of an election held in the City of Austin, Texas, on the 5th day of April, 1937, for the purpose of electing five Councilmen, the official returns from the election officials certify and show, and thereafter a canvass of said returns by the Committee appointed by the City Council to canvass said returns also show, that there were cast at said election a total of 1064 votes; and

WHEREAS, said returns, and the canvass thereof, also show that the following named persons severally received the total votes set opposite their names, respectively, to wit:

Chas. F. Alford	received	1055	votes
C. M. Bartholomew	received	1059	votes
Simon Gillis	received	1056	votes
Tom Miller	received	1044	votes
Oswald G. Wolf	received	1056	votes
Homer Brooks	received	1	vote
Harry Golden	received	1	vote
Fred Serur	received	1	vote
Chas. Wukasch	received	1	vote

Total vote cast at election - 1064 ; and

WHEREAS, it appears that Chas. F. Alford, C. M. Bartholomew, Simon Gillis, Tom Miller, and Oswald G. Wolf have received the highest number of votes cast for councilmen at said election; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT, in accordance with said returns, as received and canvassed, the following named persons are hereby declared duly elected, and authorized to qualify for the positions of councilmen for the City of Austin, for the term of two years, beginning May 1, 1937: Chas. F. Alford, C. M. Bartholomew, Simon Gillis, Tom Miller, and Oswald G. Wolf.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works and the provisions of the City Charter of the City of Austin, proposals for bids for the general construction and mechanical installation of the Sewage Disposal Plant, under Docket No. 1758, Eng. Ref. No. 68-C 1 & 2, were received and opened at 10 A. M., Wednesday, November 20, 1935; and

WHEREAS, said contract was duly executed with Brown and Root, Incorporated, of

Austin, Texas, dated November 25, 1935, and approved by the Public Works Administration on January 13, 1936; and

WHEREAS, it was provided in this contract agreement that 325 working days were provided for; and

WHEREAS, due to weather conditions and abnormal floods on the Colorado River during September, 1936, the contractor was seriously delayed in completing certain portions of the work, and due to the further fact that forms in certain instances and certain work already completed were seriously damaged and had to be replaced; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT a thirty (30) day extension of time for completion of the project be granted to Brown and Root, Incorporated.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf,; 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, after hearing the matter and duly considering same, it is deemed just and equitable by the City Council to remit all penalty on the real estate taxes on the property hereinafter described, and to waive the interest on same, involved in Suit No. 46272, City of Austin vs. E. L. Young, provided the taxes on the real estate, and the taxes, penalty and interest on the personal property is promptly paid; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the penalty amounting in the sum of \$8.04, and interest on judgment in the sum of \$41.77, against Lot 18, Block 3, Hyde Park Annex, Plat 84, in the City of Austin, Travis County, Texas, is hereby remitted, provided the taxes on the real estate, and the taxes, penalty and interest on the personal property involved in the above mentioned suit be promptly paid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Upon motion, duly seconded and carried, the meeting was recessed at 11:45 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hallie Mettler
City Clerk